

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:17-cr-00049-MR-DLH**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**TIMOTHY LANE PLEMMONS,**

**Defendant.**

---

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**ORDER**

**THIS MATTER** is before the Court on the Defendant's Motion to Suppress [Doc. 10]; the Magistrate Judge's Memorandum and Recommendation regarding that motion [Doc. 22]; and the Defendant's Objections to the Magistrate Court's Recommendation [Doc. 25].

On September 19, 2017, the Honorable Dennis L. Howell, United States Magistrate Judge, conducted an evidentiary hearing on the motion to suppress. On December 11, 2017, the Magistrate Judge issued a Memorandum and Recommendation, recommending that the motion to suppress be denied. [Doc. 22]. The Defendant timely filed Objections to the Memorandum and Recommendation on December 27, 2017. [Doc. 25]. The

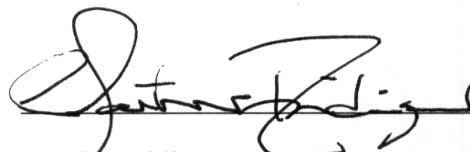
Government replied to the Defendant's Objections on January 4, 2018. [Doc. 26].

Upon conducting a *de novo* review of the Memorandum and Recommendation, the Court finds that the Magistrate Judge's proposed findings of fact are correct and that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby overrules the Defendant's Objections and accepts the Magistrate Judge's recommendation that the Defendant's Motion to Suppress should be denied.

**IT IS, THEREFORE, ORDERED** that the Defendant's Objections to the Magistrate Judge's Memorandum and Recommendation [Doc. 25] are **OVERRULED**; the Magistrate Judge's Memorandum and Recommendation [Doc. 22] is **ACCEPTED**; and the Defendant's Motion to Suppress [Doc. 10] is **DENIED**.

**IT IS SO ORDERED.**

Signed: January 8, 2018

  
Martin Reidinger  
United States District Judge

